

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ OCT 28 2005 ★

ROY HARPER, a/k/a Roy Persaud,

Petitioner,

-against-

D.B. DREW,

Respondent.
_____X

BROOKLYN OFFICE

CIVIL JUDGMENT

05-CV-3446 (DGT)

Pursuant to the order issued on October 17, 2005 by the undersigned, dismissing the petition for a writ of habeas corpus under 28 U.S.C. § 2254, it is,

ORDERED, ADJUDGED AND DECREED: That the petition is hereby dismissed as time-barred. 28 U.S.C. § 2244(d)(1). As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. 28 U.S.C. § 2253(c). The court certifies pursuant to 28 U.S.C. § 1915(a) that any appeal from this order would not be taken in good faith.

s/David G. Trager
David G. Trager
United States District Judge

Dated: October 17, 2005
Brooklyn, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.